

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dominique BOUREL et al.
Title: THERAPEUTIC PRODUCTS WITH
ENHANCED ABILITY TO
IMMUNOMODULATE CELL FUNCTIONS
Appl. No.: 10/551,819
International Filing Date: 4/5/2004
371(c) Date: 6/12/2006
Examiner: Unassigned
Art Unit: 1645
Conf. No.: 3972

SECOND PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

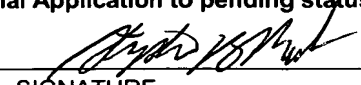
Sir:

Prior to examination of the present Application and further to the Preliminary Amendment filed on September 30, 2005, Applicants respectfully request that the application be amended as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 9 of this document.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER
		065691-0408
INTERNATIONAL APPLICATION NO. PCT/IB2004/001390	INTERNATIONAL FILING DATE 4/5/2004	U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/551,819
		PRIORITY DATE CLAIMED 4/3/2003
TITLE OF INVENTION THERAPEUTIC PRODUCTS WITH ENHANCED ABILITY TO IMMUNOMODULATE CELL FUNCTIONS		
APPLICANT(S) FOR DO/EO/US Dominique BOUREL et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

U.S. APPLICATION NO. (If known, see 37 CFR. 1.5) 10/551,819		INTERNATIONAL APPLICATION NO. PCT/IB2004/001390		ATTORNEY'S DOCKET NUMBER 065691-0408	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/> Basic national fee		\$300	\$		300.00
22. <input checked="" type="checkbox"/> Examination fee			\$		200.00
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100			
All other situations		\$200			
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared and provided to the Office		\$400			
All other situations		\$500	\$		400.00
TOTAL OF ABOVE 21, 22 and 23 =			\$		900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
62 - 100 = 0	/50 =	0	x \$250.00		\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))			\$		130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		\$
Total Claims	54 - 20 =	34	x \$ 50.00		\$ 1700.00
Independent Claims	4 - 3 =	1	x \$ 200.00		\$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00		\$
TOTAL OF ABOVE CALCULATIONS =			\$		2930.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			+		\$ 0.00
SUBTOTAL =			\$		2930.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$		
TOTAL NATIONAL FEE =			\$		2930.00
TOTAL FEES PREVIOUSLY PAID =			\$		1030.00
TOTAL FEES ENCLOSED =			\$		1900.00
			Amount to be refunded:		
			charged:		
<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: center;">Foley & Lardner LLP Customer Number: 22428</p> <div style="text-align: right;">  SIGNATURE Stephen B. Maebius NAME 35,264 REGISTRATION NUMBER </div>					

July 7, 2006